

PRESENT: Martha Fischer, Marcus Gingerich, Mimi Mehaffey, Councilperson  
Michael Miles, Julie Schroeder

ABSENT: Councilperson Mike Carpenter, Jude Lemke, Rob Tesori

Michael Miles called the meeting to order at 7:05 p.m. and lead the assemblage in the Pledge of Allegiance to the Flag.

### **Old Business**

A Motion was made to approve the July 19 minutes with the following changes: 1<sup>st</sup> page change “charge” to “chart”; 2nd page change “insurance” to “insured”; 3<sup>rd</sup> page change “one” to “once”. Motion passed to approve minutes unanimously.

There was a discussion on what it meant in the minutes regarding operational license– Enfield uses the term permit. Explanation was that instead of the wording “operational license” Enfield uses the term “permit”.

Michael Miles reported he had not received any emails through the [windadvisory@townofenfield.org](mailto:windadvisory@townofenfield.org) and that there has been no new documents placed at Trello wind farm advisory site.

### **New Business**

The Committee discussed what they thought should be included in the wind farm application of the wind energy law. The assignment was to compare the wind laws of Catlin, Freedom, Somerset, and Columbia to Enfield’s wind law. Columbia is a neutral model law. It should be disclosed that Columbia is a pro-wind law it was written to produce wind power in the community.

- All good points need to be tailored to the town; couldn’t find anything to throw out
- Columbia Law vs. Enfield Law not a lot of difference.
- Columbia Law talks about adjacent property and addresses.
- Enfield Law reference: Article III Section 2 F (Page 10)
  - Enfield needs radius of notification increased.
  - Certified mail for notification of public hearing; needs to clarify who sends out notification
- Columbia Law, Page 9, Studies or Reports on: includes engineer reports in application regarding ice throw, blade throw, etc. Enfield includes all the reports in the Environmental Impact Statement. Enfield could include a request for all these reports in the application but how much needs to be duplicated? How can a permit be issued without knowing all the impacts of the wind turbines?
- Enfield Law – page 9, C. Environmental Studies – better sound report?
- A SEQRA is always required.

- Is Enfield's Comprehensive Plan written in favor of alternative energy?
- Engineer Reports in the EIS only quoted Geoff Leventhall, Wind Energy Association, that infrasound should not be a problem, no real data was presented. It was pointed out that the Engineer is not a health expert in reference to infrasound.
- Base-line monitoring of sound should be done by wind farm using A-weight. It should be done before and after wind turbines are put in. The base-lines need to be done correctly for day and night monitoring. The State says A-weight is the standard measurement but not for low frequency. Low frequency should be C-weight (flat). The Data should be collected for a certain number of locations not all locations of the wind turbines.
- Low frequency measurements – drawing a health conclusion from the measurements unless you do a base line test.
- Freedom Maine Energy Law, page 35, #2 and #3 “sound level meters and calibration equipment must comply with the latest version of the American National Standards Institute” and goes on to state on how the measuring should be done.
- Should specifics be put in the Appendices? Are Appendices easier to change than the law? Can being more specific go against you? If using Appendices it can be referred to in different areas of the law to explain details.
- It was suggested that the Developer should show a model of what sound will be from the wind turbines. Mitigation for sound complaints should be put in the law. Should the mitigation be - fix or the wind turbine will be shut down? This is based on the base-line monitoring. In the Catlin law “final law” page 28-33 – Sound Levels are discussed.
- There should be stronger restrictions to protect people.
- There was discussion on ways to save energy and the “carbon footprint” than to build wind turbines and solar panels. A “button-up” house program is good, turning off lights, saving water conservation.
- It should be clearly stated in “details” what is to be included in wind farm application.
- Enfield Law Article III - #7 – Wind Turbine (page 10) add manufacture specifications after C and D.
- Columbia Law under Applications – #12 Studies or reports lists what is required on application.
- Enfield Law – page 9 “Positive Declaration” who says what the positive declaration is Town Board? What does this mean? What happens if the applicate doesn't agreed on the declaration? Confusing time line for the positive declaration needs work.
- Phases – is there an upgrade phase. Upgrade Permit needed? Wind turbines are not custom made – how quickly can you get a replacement part?

What is the next step – big picture?

- Need to give specifics of changes/additions to lawyer to rewrite
- Flow chart would be helpful showing what goes on in each section of law.
- What could go in the Appendices?
- Conflict of interest – Town Board voting on items, leases?
- Municipal Law – vested interest in NYS.
- What is disclosure statement?
- Accountability – in reference to penalties when law is not complied with.
- What is life cycle of the project?
- Does law address all phases?
- What are the fees? Do they need to added or changed?
- How do the other Wind Energy Town Laws call for regarding complaints and enforcement mechanisms?

Next Meeting: Tuesday, August 30, 7 pm.

Michael Miles adjourned the meeting at 8:50 p.m.

Respectfully submitted, Sue Thompson, Recording Secretary